THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16587 OF 1996

DATED:18-04-2006

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Between:

Tati Maha Lakshmi ..Petitioner

And

The Mandal Revenue Officer, Dammapet, Khammam District. and others ..Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16587 OF 1996

ORDER:

The land admeasuring Acs.6.00 comprised in survey Nos.948, 986 and 987 situated at Nagulapally Village of Dammapeta Mandal in Khammam District, originally belonged to one Gaddam Venkappa. After his death, his son succeeded to the property. The petitioner herein is the daughter of son of Venkappa, by name, Singaraju, and he had a son Bodaiah. It appears, Bodaiah died in a motor accident and the petitioner as a legal heir claimed and received the compensation. According to her, she succeeded to the property and she is in possession. Therefore, she also filed an application on 15.10.1993 seeking mutation in the record of rights as per the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, and the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 ('the Rules', for brevity), in vain. Hence, the present Writ Petition is filed seeking a direction to the first respondent.

Respondents 1 to 3 have filed a counter-affidavit and respondents 4 and 5 have also filed separate counter-affidavit denying the right of the petitioner. In the counter-affidavit filed by the Mandal Revenue Officer on behalf of the official respondents, it is stated that the petitioner has not made any application in Form No.VI-A under Rule 18 of the Rules, and therefore, enquiry could not be taken up. No reply-affidavit

is filed denying this allegation.

As the petitioner seeks a limited relief directing the first respondent to dispose of her application for mutation in the record of rights, the Mandal Revenue Officer is directed to take up the enquiry and consider rival claims and pass appropriate orders within a period of four months from the date of receipt of a copy of this order. In the meanwhile, the petitioner is given liberty to file appropriate application in Form No.VI-A under Rule 18 of the Rules. This application may be filed within a period of two weeks from today.

The Writ Petition, with the above directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

18.04.2006

Note: Furnish C.C. by 24.04.2006

(B/o) GJ